

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Melvin S. Mogil

Atty. Dck. No. 100570-00036

Serial No.: unknown

Examiner: unknown

Filed: August 18, 2003

Art Unit: unknown

For: Divided Insulated Container

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231  
Sir:

Date: August 18, 2003

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information items listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each item is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the items be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date, OR (b) before the mailing date of a first Office Action on the merits in the present application, OR (c) accompanies a Request for Continued Examination. No certification or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☐ c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- ☐ 3. This Information Disclosure Statement is being filed more than three months

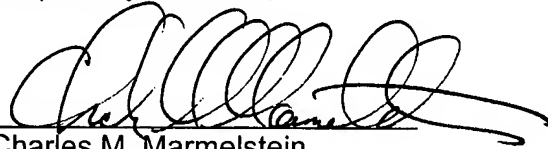
after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

☒ 4. The references were cited by or submitted to the Office in the parent application No: 09/881,770, filed June 18, 2001, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these references are not attached. 37 CFR § 1.98 (d).

Respectfully submitted,



Charles M. Marmelstein  
Registration No. 25,895

Customer No. 004372  
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC  
1050 Connecticut Avenue, N.W.,  
Suite 400  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810  
CMM:jns

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO.	SERIAL NO.
LIST OF REFERENCES CITED BY APPLICANT  (Use several sheets if necessary)		APPLICANT Melvin S. MOGIL	
		FILING DATE	GROUP

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	4,537,313	08/27/1985	Workman	206	545	
	AB	4,541,540	09/17/1985	Gretz et al.	220	20	
	AC	4,929,094	05/29/1990	Becker	383	7	
	AD	5,090,526	02/25/1992	Jacober	190	107	
	AE	5,400,610	03/28/1995	Macedo	62	130	
	AF	5,403,095	04/04/1995	Melk	383	110	
	AG	5,472,279	12/05/1995	Lin	383	2	
	AH	5,501,338	03/26/1996	Preston	206	545	
	AI	5,660,476	08/26/1997	DeCoster	383	29	
	AJ	5,842,571	12/01/1998	Rausch	206	549	
	AK	5,857,778	01/12/1999	Ells	383	5	
	AL	5,865,314	02/02/1999	Jacober	206	570	
	AM	5,924,303	07/20/1999	Hodosh	62	457.4	
	AN	5,562,228	10/08/1996	Ericson	220	415	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO PART.		
	AO								

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AP	
--	----	--

EXAMINER	DATE CONSIDERED
<b>*EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

*(use as many sheets as necessary)*

Sheet	1	of	3
-------	---	----	---

**Attorney Docket Number**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, <sup>2</sup> Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (If known)			
		1,372,893		Miller	03/1921	
		1,826,646		I.B. Blake	10/06/31	
		1,985,111		Shofer et al.	12/1934	
		2,555,788		N. E. Donaldson	06/05/51	
		2,610,472		J. B. Maxwell	09/16/52	
		2,645,332		N. B. Martin et al.	07/14/53	
		2,770,275		Suciu	11/1956	
		2,880,775		Beattie	04/1959	
		3,255,607		L. E. Bair et al.	06/14/66	
		3,572,054		A. M. Curcio	03/23/71	
		3,998,072		H. G. Shaw	12/21/76	
		4,010,784		F. Natrass	03/08/77	
		4,050,264		M. Tanaka	09/27/77	
		4,091,852		Jordan et al.	05/1978	
		4,210,186		Belenson	07/1980	
		4,260,004		Domke	04/1981	
		4,286,440		F. Taylor	09/01/81	
		4,334,601		Davis	06/1982	
		4,468,933		Christopher	09/1984	
		4,499,998		A. R. Carlson	02/19/85	

[illegible]Date  
Considered

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number		
			Filing Date		
			First named Inventor		
			Group Art Unit		
			MOGIL, M.		
			Examiner Name		
			Attorney Docket Number		
Sheet	2	of	3		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		4,499,999		Behar	02/1985	
		4,506,769		Franco et al.	03/1985	
		4,509,645		Hotta	04/1985	
		4,521,911		R. L. Vance	06/04/85	
		4,551,988		J. Petrantoni	11/12/85	
		4,610,286		J. T. Cyr	09/09/86	
		4,655,052		L. F. Garcia	04/07/87	
		4,673,117		J. D. Calton	06/16/87	
		4,679,242		Brockhaus	07/1987	
		4,706,856		J. M. Jacober	11/17/87	
		4,759,467		Byrne	07/1988	
		4,819,793		C. Willard	04/11/89	
		4,858,444		J. Scott	08/22/89	
		4,871,069		Guimont	10/1989	
		4,916,923		C. C. Adams, et al.	04/17/90	
		4,923,060		S. M. Breslau	05/08/90	
		4,941,603		J. J. Creamer et al.	07/17/90	
		4,974,966		G Fabbi	12/04/90	
		4,984,662		J. M. Jacober	01/15/91	
		5,050,399		C. J. Peahl	09/24/91	
		5,095,718		J. J. Ormond et al.	03/17/92	
		5,149,203		Sacks	09/1992	
		5,313,807		M. L. Owen	05/24/94	
		5,328,265		N. Clooney	07/12/94	
		5,354,131		Mogil	10/11/94	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

*(use as many sheets as necessary)*

Sheet

3

of

3

**Con., Note if Known**

Application Number

Filing Date

**First named Inventor**

MOGIL, M.

### Group Art Unit

Examiner Name

Attorney Docket Number

[illegible][illegible]

**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.